

THE UNITED STATES DISTRICT COURT
FOR THE FIRST DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

VS

STEPHEN M. CORBETT

CRIMINAL ACTION

02-2534

MOTION FOR POST CONVICTION RELIEF IN
FORMA PAUPERIS

I, STEPHEN M. CORBETT RESPECTFULLY MOVES THIS Honorable Court,
pursuant to Tittle 28 U.S.C. Section 1915, for an Order granting
leave to Appeal in forma Pauperis from the judgment on or about
November 12, 2002 without prepayment of cost and fees, and without
giving security therefor. The attached affidavit is filed in support
of this motion.

Sept 21, 2004
YOUNG D.J.
MOTION ALLOWED

William A. Young
U.S. District Judge

Respectfully Submitted.

Stephen M. Corbett
Stephen M. Corbett

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VS

STEPHAN M. CORBETT

AFFIDAVIT IN SUPPORT OF MOTION FOR POST CONVICTION RELIEF IN
FORMA PAUPERIS

I, STEPHAN M. CORBETT, being duly sworn, deposes and say that I am the defendant in the above entitled case; that in support of my motion to proceed on appeal without being required to prepay fees, cost or give security therefor, I state that because of my poverty I am unable to pay the cost of said proceeding to give security therefor, that I believe I am entitled to redress; and that the issues which I desire to present on appeal are the following

- 1) Argue the weight of drugs
- 2) Argue the fact that I am not a career criminal

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the cost of prosecuting the appeal are true.

1. Are you presently employed?
Not currently employed. Been incarcerated for over 24 months.
2. Have you received within the last twelve months any income from a business, profession or other form of self employment, or in the form of rents interest, dividends, or other source?

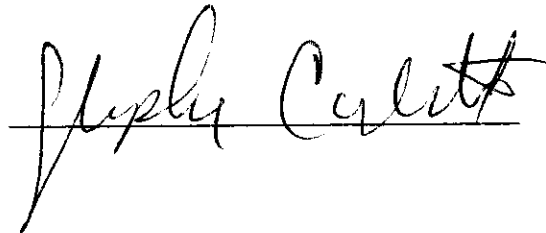
No I have not recieved any of the above mentioned monies.

3. Do you own any cash or checking or savings accounts?
I do not own any assets whatsoever.
4. Do you own any real estate, stocks, bonds, notes cars, or other valuable property.

No I don't own anything of vaule whatsoever.

5. List the persons who are dependent upon you for support and state your relationship to those persons.
There are no dependents currently dependent upon me.

I understand that a false statement or answer to any question in this affidavit will subject me to penalties of perjury.

A handwritten signature in cursive script, appearing to read "Jeffrey Carlitz", is written over a horizontal line.

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2004

Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

District Judge